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1 UNITED STATES DISTRICT COURT
2 SOUTHERN DISTRICT OF NEW YORK

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3 UNITED STATES OF AMERICA,

New York, N.Y.

4 v.

16 Cr. 748 (NRB)

5 LEANDRO BIERD,

6 Defendant.

7 -----x

8 November 17, 2016
9 3:35 p.m.

10 Before:

11 HON. NAOMI REICE BUCHWALD,

12 District Judge

13
14 APPEARANCES

15 PREET BHARARA

16 United States Attorney for the
Southern District of New York

17 BY: JONATHAN E. REBOLD

18 Assistant United States Attorney

19 FEDERAL DEFENDERS OF NEW YORK

Attorneys for Defendant

20 BY: JULIA L. GATTO

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22
23 ALSO PRESENT:

24 ELIZABETH TORRES, Spanish Interpreter

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1 (Case called)

2 MR. REBOLD: Jonathan Rebold for the government. Good
3 afternoon, Judge Buchwald.

4 MS. GATTO: Good afternoon, your Honor. Federal
5 Defenders of New York, by Julia Gatto, for Mr. Bierd.

6 THE COURT: Am I correct that Mr. Bierd has not been
7 arraigned on the indictment?

8 MS. GATTO: He was arraigned yesterday in mag court.

9 THE COURT: All right.

10 So have counsel had an opportunity to discuss a
11 discovery schedule?

12 MS. GATTO: We haven't, your Honor. No discovery has
13 been made yet. I think the government can probably speak to
14 it.

15 MR. REBOLD: I can, your Honor.

16 I am here on behalf of the assigned assistant, Matthew
17 Laroche, who has been on trial, but informs me that the
18 discovery is very limited in this case. It is a pretty
19 straightforward narcotics case. He expects to have all
20 discovery in defense counsel's hand within about a week, if
21 that's acceptable to the court.

22 THE COURT: Ms. Gatto, when would you like to come
23 back?

24 MS. GATTO: I think it would make sense to come back
25 in about four weeks from today, after I have had the

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1 opportunity to review discovery, and then I can report if I
2 anticipate any motions.

3 THE COURT: By my calculation, that is December 15.

4 MS. GATTO: That's right, your Honor. That's a good
5 day for us.

6 THE COURT: How about 4:45? Is that good?

7 MS. GATTO: That's fine. Yes, your Honor.

8 THE COURT: Is there any objection to waiving the
9 speedy trial time until then?

10 MS. GATTO: No objection, your Honor.

11 THE COURT: I find that a continuance until December
12 15 serves the ends of justice and outweighs the best interests
13 of the public and the defendant in a speedy trial in that it
14 will permit time for the government to make discovery and the
15 defendant to consider that discovery and any possible motions
16 that the defendant may have.

17 Is there anything else at this time?

18 MR. REBOLD: Not from the government.

19 MS. GATTO: No, your Honor. Thank you.

20 THE COURT: Thank you.

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